



STATEMENT OF CONSIDERATION

Relating to 201 KAR 016:520

BOARDS AND COMMISSIONS

Kentucky Board of Veterinary Examiners
(Not Amended After Comments)

I. The public hearing on 201 KAR 016:520, scheduled for November 22, 2024, at 1:00 p.m. at the offices of the Kentucky Board of Veterinary Examiners (KBVE) was canceled; however, written comments were received during the public comment period, which closed November 30, 2024.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization/Entity/Other</u>
Joanne M. Hughes, DVM	LexVet Mobile Surgery

III. The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>
John C. Park, DVM, KBVE Chair
Michelle M. Shane, KBVE Executive Director

IV. Summary of Comments and Responses

(1) Subject Matter: Equivalency of non-AVMA-CVTEA-accredited schools in the United States vs. outside of the United States

(a) Comment: Dr. Hughes – KBVE offers a pathway to licensure for individuals who graduate from foreign schools not accredited by the AVMA CVTEA through the PAVE for Vet Techs program. Why can't this same opportunity be offered to students of non-accredited schools in the U.S?

(b) Response: The American Veterinary Medical Association (AVMA) Committee on Veterinary Technician Education and Activities (CVTEA) is the accrediting body for veterinary technology and veterinary nursing programs in the United States. The AVMA CVTEA does not accredit foreign veterinary technology programs if the program meets all CVTEA standards and is housed at an institution of higher learning recognized by and in good standing with the appropriate national, provincial, or regional agency with that authority. The American Association of Veterinary State Boards (AAVSB) Program for the Assessment of Veterinary Education Equivalence (PAVE) for Vet Techs program is offered as a pathway for foreign graduates of non-accredited schools to complete the program for an opportunity for testing and licensure. The AAVSB does not offer the PAVE for Vet Techs program to U.S. graduates of non-accredited programs; this limitation is in place by the AAVSB, not Kentucky. However, it should be noted that graduates who participate in the PAVE for Vet Techs program must complete deficient course work at an accredited program to fill in gaps in their education before they are qualified to take the national exam. Members of the KBVE believe that schools offering qualifying education in the United States should be accredited to meet the rigorous standards put in place by the AVMA CVTEA. There are over 220 accredited programs, and at least 11 of these offer distance learning, offering ample access and opportunity for individuals in the U.S. to access and attend an accredited program. As a result of this comment, no changes are proposed to this administrative regulation.

(2) Subject Matter: On-the-Job Training (OJT) for veterinary technicians

(a) Comment: Dr. Hughes – Three states – Alaska, California, and Wisconsin – allow the OJT pathway for licensure of LVTs. Dr. Hughes argues that the OJT as an alternate route to education is more complicated and stringent than the “traditional” pathway.

(b) Response: The California Veterinary Medical Board (CVMB) held a public stakeholder meeting on December 6, 2024, seeking feedback from all licensed/registered veterinary technicians (LVTs or RVTs). Almost 100% of the participants argued that OJT was not equivalent training. The dialog during that meeting was striking, with many OJT route licensees who returned to school to strengthen their education commenting they would close the OJT pathway completely if they could because OJT left many holes in their education, specifically citing:

- OJT does not provide foundational knowledge about why procedures are done; it only teaches how to perform them.
- On-the-job training (OJT) varies tremendously based on the trainer’s skills, knowledge, and ability to teach.
- OJT may not always be provided by competent trainers or licensees (may be by unlicensed assistants or others without adequate training of their own).
- OJT may not provide exposure to all species that may be encountered in various clinical settings.
- OJT often teaches one method only and does not teach a suite of alternatives that may be required for various patient needs.

- OJT may not be as robust in ensuring knowledge comprehension and retention in a busy clinical setting where client needs come first. There is no time after learning a procedure for conversation and refinement of learned practices.
- OJT does not teach critical skills related to food safety and zoonotic disease identification.

Further, and of concern related to public safety, a veterinarian who employs an LVT will expect that the employed LVT is trained to the same standard as other LVTs. Consequently, the supervising veterinarian may incorrectly assume that someone with OJT is trained and capable of all the same tasks as an LVT graduate of an accredited school. If the OJT trained LVT does not declare their method of training and educational areas of deficiency (how are they to know what they don't know), then the veterinarian shall be liable for their activities, patient safety may be compromised, and public confidence may be broken.

Finally, in 2023 the Kentucky General Assembly passed a modernized Kentucky Veterinary Medicine Practice Act which encoded strong title protections for LVTs. KBVE is amending this regulation to ensure the title protections are enforced and that the title protections also ensure the public can have confidence in the competencies of the licensees of the board. As a result of this comment, no changes are proposed to this administrative regulation.

(3) Subject Matter: Veterinary technician shortage

(a) Comment: Dr. Hughes – Three states – Alaska, California, and Wisconsin – allow the OJT pathway for licensure of LVTs. Endorsement candidates from these states should be awarded a veterinary technician license in Kentucky so long as they have three (3) years of good standing of licensure in these states. This will help address the veterinary technician shortage.

(b) Response: The CVMB held a public stakeholder meeting on December 6, 2024, seeking feedback from all LVTs/ RVTs. One point of discussion during this meeting was that there are candidates for licensure in these states that opt to bypass education in accredited schools because it is less expensive to obtain licensure in an OJT pathway state. They cited that many of these candidates never practice within or set foot within that state, but hold the license long enough to obtain endorsement licensure in a state that does not allow OJT. KBVE is not willing to compromise the protection and safety of the public by creating a loophole to bypass the requirements of a CVTEA-accredited education. This is a disservice to all LVTs who have completed the requirements of licensure in Kentucky, and opens a door to potential public safety concerns and liability for veterinarians hiring these employees. Further, veterinary assistants may work in Kentucky under the employment of a licensed veterinarian and are not required to earn or maintain a license with KBVE, so these provisions do not prevent individuals from moving to and working in Kentucky pursuant to KRS 321.443. As a result of this comment, no changes are proposed to this administrative regulation.

Summary of Statement of Consideration and Action Taken by Promulgating Administrative Body

The public hearing on this administrative regulation was canceled; however, one written comment was received. The Kentucky Board of Veterinary Examiners responded to the comment as noted above and will not be amending the administrative regulation.